

AMENDED IN ASSEMBLY MAY 6, 2010

AMENDED IN ASSEMBLY APRIL 26, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2620

Introduced by Assembly Member Eng

February 19, 2010

An act to add Section 149.05 to the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2620, as amended, Eng. Transportation: toll facilities.

Existing law provides that the Department of Transportation shall have full possession and control of the state highway system and associated property. Existing law provides for the development of high-occupancy toll lanes on the state highway system by regional transportation agencies under specified circumstances and specifies the use of toll revenues generated from these facilities.

This bill would require an unspecified percentage of net toll revenues generated by certain toll facilities on the state highway system developed on and after January 1, 2011, to be dedicated to maintenance, preservation, and rehabilitation of the state highway system, including funding of projects in the state highway operation and protection program. The bill would ~~also~~ make legislative findings and declarations in that regard. *The bill would require revenues dedicated to the state highway operation and protection program to be used for projects in the transportation corridor in which the revenues are generated and would also authorize the department, in consultation with a regional*

transportation authority, to apply to the California Transportation Commission to direct those revenues to other projects within the county in which a high-occupancy toll lane is located and the revenue is generated.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The level of funding available for maintenance, preservation,
4 and rehabilitation of the state highway system is straining the
5 ability to meet rehabilitation and preservation needs of the system.

6 (b) Rehabilitation and reconstruction needs on the state highway
7 system are increasing as the infrastructure ages.

8 (c) The continued increase in vehicle travel and goods movement
9 contributes to an increased rate of pavement and bridge
10 deterioration, new accident concentration locations, and increasing
11 hours of traffic congestion.

12 (d) Continued underfunding of maintenance, preservation, and
13 rehabilitation needs delays projects and increases the cost when
14 the work is eventually undertaken.

15 (e) Transportation agencies are increasingly interested in
16 developing tolled facilities on the state highway system, a
17 state-owned asset.

18 (f) At least a portion of the proceeds from tolled facilities should
19 be directed to maintenance, preservation, and rehabilitation of the
20 state highway system, which serves as a backbone to those
21 facilities.

22 SEC. 2. Section 149.05 is added to the Streets and Highways
23 Code, to read:

24 149.05. (a) Notwithstanding any other provision of law, ____
25 percent of net toll revenues generated by a toll facility on the state
26 highway system shall be dedicated to maintenance, preservation,
27 and rehabilitation of the state highway system, including funding
28 of projects in the state highway operation and protection program.
29 This section shall apply to toll facilities developed on and after
30 January 1, 2011, that are the subject of a cooperative agreement
31 between the department and another public agency entered into

1 on and after that date, but shall not apply to toll facilities developed
2 pursuant to Sections 149.1, 149.3, 149.4, 149.5, 149.6, 149.8, or
3 149.9. The cooperative agreement between the department and the
4 other public agency shall provide for the payment of these revenues
5 to the department for deposit in the State Highway Account. Those
6 revenues shall be subject to appropriation by the Legislature for
7 purposes consistent with this section.

8 *(b) Toll revenues described in subdivision (a) that are dedicated*
9 *to the state highway operation and protection program shall be*
10 *used for projects in the corridor in which the revenues are*
11 *generated. The department, in consultation with the regional*
12 *transportation authority, may also apply to the commission to*
13 *direct these revenues to other projects within the county in which*
14 *the high-occupancy toll lane is located and in which the revenues*
15 *are generated.*